

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DE VONNE C. HOUSTON,

Petitioner,

v.

MAGGIE MILLER-STOUT,

Respondent.

Case No. C06-5283RJB

ORDER DIRECTING RESPONDENT
TO FILE A SUPPLEMENTAL
ANSWER

This 28 U.S.C. § 2254 petition has been assigned to the undersigned Magistrate Judge. The court has prepared a Report and Recommendation that all unexhausted claims be dismissed. The answer does not address the sufficiency of the evidence claim on the merits (Dkt. # 16). Respondent is directed to address this claim in a supplemental answer to be filed on or before **January 5th, 2007**. On its own motion the court re-notes this matter for **January 26th, 2007** to give petitioner time to file a traverse if he wishes.

The clerk is directed to send copies of this order to petitioner and counsel for respondent and

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1 to note the **January 26th, 2007** noting date for this petition. The clerk is also directed to remove
2 (Dkt. #
3 20) from the court calendar.

4 DATED this 30th, day of November, 2006.

6 /S/ J. Kelley Arnold

7 J. Kelley Arnold

8 United States Magistrate Judge